

ARIZONA STATE BOARD OF DISPENSING OPTICIANS

BOARD MEETING MINUTES

August 3, 2011

The Arizona State Board of Dispensing Opticians and held a meeting at 1400 W. Washington, Conference Room 230, Phoenix, Arizona 85007. The Board meeting commenced at 10:30 a.m.

BOARD MEMBERS PRESENT: A. Mansour, Chairman, Licensed Optician
 B. Chandler, Secretary, Licensed Optician
 C. Newman, Public Member
 D. Nyblade, Licensed Optician
 B. Bergier, Vice-Chairman, Licensed Optician
 E. Evans, Licensed Optician
 P. Moore, Public Member

BOARD MEMBERS ABSENT: None

OTHERS PRESENT: L. Scott, Executive Director
 M. Lee, Assistant Attorney General

1. Call to Order and Roll Call

Vice-Chairman Bergier called the meeting to order at 10:30 a.m. and roll call was taken. Present were Vice-Chairman Bergier, Secretary Chandler, Board member Newman, Board member Moore, and Board member Nyblade. Chairman Mansour and Board member Evans were not present.

2. Declaration of Conflicts of Interest

None noted

3. Approval of Minutes.

Board member Nyblade moved to approve of the minutes, as written, of the Board meeting held on June 1, 2011. Secretary Chandler seconded the motion and it carried.

4. Miscellaneous Matters

Director's Report –

1. Ms. Scott reported that Vision Expo is next month in Las Vegas. All continuing education courses are ABO and NCLE approved.
2. Ms. Scott reported that the State Boards Office returned \$1,799 to the Dispensing Opticians Fund for FY 11. This was funds not used in Joint Office Costs for last fiscal year.

MINUTES
August 3, 2011
Page Two

5. Possible Violations

- A. 11-001 J.C. Penney Optical #992 – no licensed optician. The Board office has received a response from J.C. Penney Corporate office regarding how long they were without a licensed optician. Ms. Scott gave the Board a break down stating that J C. Penney was without an optician for 7 weeks. Board member Nyblade pointed out that it was actual closer to 9 weeks still making this a violation of A.R.S. 32-1884.01 B. and A.A.C. R4-20-114 A. Secretary Chandler moved to find J.C. Penney Optical in violation of A.R.S. 32-1884.01 B. and A.A.C. R4-20-114 A. Board member Nyblade seconded the motion and it carried. Secretary Chandler moved to offer J.C. Penney Optical a Consent Agreement paying a civil penalty of \$250.00. Board member Nyblade seconded the motion and it carried.
- B. 11-002 LensCrafters – record keeping – this item is tabled until September to allow LensCrafters time to review the consent Agreement with the new Regional manager.

Board member Evans present.

- C. Big Discount Eyeglasses – Ms Scott reported that she went to Big Discount Eyeglasses after the last meeting to retrieve the glasses in question. The glasses had already been destroyed. No violation found. Secretary Chandler moved to dismiss the complaint as no violation has been found. Board member Moore seconded the motion and it carried.
- D. National Vision #2512. – no licensed optician. Ms. Scott reported that the position was filled within the timeframe allowed. Board member Nyblade moved to dismiss this complaint. Board member Moore seconded the motion and it carried.
- E. America's Best Optical – consumer complaint – A response was received from National Vision and the listed optician. After review of the complaint and responses Board member Nyblade moved to dismiss this complaint as no violation is found. Secretary Chandler seconded the motion and it carried.

At 10:40 am the Board recessed to review files.

Chairman Mansour present.

MINUTES
August 3, 2011
Page Three

At 11:05 Chairman Mansour called the meeting back to order.

6. Applications for Licensure

A. through E. Secretary Chandler moved to approve the applications for establishment license for Nationwide Vision #046, Nationwide Vision #055, Target Optical #4118, Reinstatement application for Rachel Hall license No. 2353i and Heidi Raquel Gillespie license no. 2619i. Board member Evans seconded the motion and it carried.

Secretary Chandler amended his motion to include that Rachel Hall must successfully complete the practical examination prior to reinstatement. Board member Evans amended her second and the motion carried.

7. Applicants for Practical Examination

Secretary Chandler moved to approve the applications to sit for the practical examination for the following applicants:

Leticia Bell, William Burrell, Sherri Garringer, Kathleen Kwiatkowski, Larysa Oliver, Brianna Petrucci, Patricia Richling, Tara Rios, Michael Rivera, Sergio Silva, David Stewart, Michelle Thurman, Gina Weglarz, Daniel Whitehead II, Jeremy Almquist, Nathalie Ané-Mauranges, Yvonne Bembrey Wilson, Alexander Flores Jr., Gabriel Guyer, Valerie McDaniel, Amanda Jantz, Amy Kirkpatrick, Alfred Lara, Esperanza Loya, Chance Mizell, Pamela Morris, Christina Reynaga, Samuel Thompson, Jennifer Bristow, Erika Bush, Robert Decot, Kelly Gunderson, Robert Hardy, Lisa Luteran, Lillian Merriman, Julia Moghadam Abrishami, Gary Navarrette-Vasquez, Christine Rice, Violette, Ruggiero, Audra Simpson, Kimberly Styles, and Tiffany Utterback Board member Nyblade seconded the motion and it carried.

Secretary Chandler moved to approve the applications to sit for the practical examination for the following applicants pending receipt of required documentation:

Olivia Ann Burns, Derek Vance, Christopher Flores, and Gary Pesek. Board member Evans seconded the motion and it carried.

Secretary Chandler moved to deny the application to sit for the practical examination for Robert Decot citing lack of qualifications. Board member Evans seconded the motion and it carried.

MINUTES
August 3, 2011
Page Four

8. Future Meeting Dates

- A. Sep.7. – Regular meeting following exams at 8:00 10:00 & 1:00
- B. Oct. 5, Nov. 2, and Dec. 7, 2011, to be determined if they will be teleconferences or regular meetings.

9. Future Agenda Items

- 11-001 J. C. Penney Optical #992 – Consent Agreement
- 11-002 LensCrafters – Consent Agreement

10. Call to the public

None present

11. Meeting Adjourned

With no further business the meeting adjourned at 11:11 a.m.

Submitted by:
Lori D. Scott
Executive Director

Approved: Lori D. Scott
Date: 9/7/11